## UNITED STATES COURT OF APPEALS FILED

FOR THE NINTH CIRCUIT

MAY - 8 2001

CATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

MICHAEL BILBREY, aka Mike Bilbrey,

Plaintiff-Appellant,

V.

BLUE FLAME BOTLE GAS INC.; et al.,

Defendants-Appellees.

No. 00-17426

DC# CV-00-2177-EHC

Arizona (Phoenix)

ORDER

FILED LODGED

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JUN 1 4 2001

CLERK IJ S DISTRICT COURT

DISTRICT OF ARIZONA

SY— HEBUTY

On April 13, 2001, this court ordered appellant to pay the filing fees within 21 days, and warned appellant that failure to pay the fees would result in the automatic dismissal of the appeal by the Clerk of the court. To date, appellant has not paid the fees. Accordingly, this appeal is dismissed for failure to prosecute. *See* 9th Cir. R. 42-1.

The certified copy of this order sent to the district court shall constitute the

mandate.

For the Court

Jeniene Andrews

Motions Attorney/Deputy Clerk

9th Cir. R. 27-7

General Orders/Appendix A

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